IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 46506-M of 2006

DATE OF DECISION : 31.10.2006

Gurjinder Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. J.S. Chahal, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

* * *

Petitioner Gurjinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 180 dated 19.7.2003 registered at Police Station Model Town Ludhiana under Sections 363, 364, 365, 506, 120-B IPC and Section 25-A of the Arms Act.

I have heard the arguments of learned counsel for the parties and gone through the contents of the FIR.

The aforesaid FIR was registered on the allegation that daughter of the complainant was studying in Guru Gobind Singh College, Ludhiana and when she was dropped in the college by the complainant in a private vehicle, soon thereafter, the petitioner kidnapped her by making her to sit on the motor cycle at the gun point.

The petitioner is in custody since 23.7.2003. Counsel for the respondent-State has informed that in this case, out of 14 prosecution witnesses, only two witnesses have been examined so far. On September 25, 2006, the State Counsel made statement that on October 26, 2006, the prosecutrix (daughter of the complainant) will be positively examined, but till today, she has not been examined. Counsel for the petitioner contends

that daughter of the complainant is now living happily with her husband and the petitioner was having love affairs with her. He further contends that the aforesaid FIR was registered on false facts because the complainant was serving as Superintendent of Police.

Keeping in view the custody period and the fact that the trial is not likely to conclude soon, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

October 31, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**